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UNITED TECHNOLOGIES CORPORATION fka
PRATT & WHITNEY, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

GERALDINE BURTON, individually and
as personal representative to the estate of
HAROLD BURTON, decedent; BLAINE
BURTON, MARK BURTON and DOES
ONE through TEN, inclusive,

Plaintiffs,

vs.

A.W. CHESTERTON COMPANY, et al.,

Defendants.

Case No. C 07-0702 SI
(related to Case No. C 07-00703 SI, C 07-
00712 SI)

**STIPULATION TO CONSOLIDATE
CASES AND [PROPOSED ORDER]**

Date: May 11, 2007
Time: 2:00 p.m.
Dept.: Courtroom 10, 19th Floor

This Stipulation to Consolidate case numbers C 07-00702, C 07-00703, and C 07-00712 (“Stipulation”) is entered into by plaintiffs Geraldine Burton, Mark Burton and Blaine Burton (collectively, “Plaintiffs”) and defendants McDonnell Douglas Corporation, The Boeing Company and United Technologies Corporation (collectively, “Defendants”), for themselves and no other defendants, through their respective counsel of record. This Stipulation is entered into with reference to the following facts:

1. On February 2, 2007, Defendants, each individually, removed this consolidated asbestos personal injury and wrongful death action to this Court on “federal officer” grounds pursuant to 28 U.S.C. section 1442(a)(1).
2. Defendant McDonnell Douglas Corporation was assigned case number C 07-00702; Boeing was assigned C 07-00712; and United Technologies was assigned C 07-00703.
3. On February 15, 2007 Judge Illson ordered that all three cases be related to C 07-00702.
4. All parties believed and intended that all motions filed thereafter under case number C 07-00702 applied to all three case numbers.

1 5. Plaintiffs and Defendants jointly agree that each motion filed under case
2 number C 07-00702 shall apply to case numbers C 07-00703 and C 07-00712.

3 6. Plaintiffs and Defendants jointly agree that each order issued under any case
4 number shall apply to all three cases.

5
6 **IT IS HEREBY STIPULATED AND AGREED THAT:**

7 1. All motions previously filed under case number C 07-00702 apply to case
8 numbers C 07-00703 and C 07-00712.

9 2. All orders issued under case number C 07-00702 shall and will apply to case
10 numbers C 07-00703 and C 07-00712.

Respectfully submitted,

Dated: May 2, 2007

LEVIN SIMES KAISER & GORNICK LLP
JEFFREY KAISER
JESSICA BIERNIER

By: _____/s/

Jessica Biernier

Attorneys for Plaintiffs

GERALDINE BURTON, MARK BURTON
and BLAINE BURTON

Dated: May 2, 2007

BRYAN CAVE LLP

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AMY M. GANTVOORT

By: _____ /s/

Amy M. Gantvoort

Attorneys for Defendant

McDonnell Douglas Corporation

Dated: May 2, 2007

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By: /s/

Bo Kim

Attorneys for Defendant

THE BOEING COMPANY

Dated: May 2, 2007

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LILLIAN MA

BRIAN CLARK

By: _____ /s/

Lillian Ma

Attorneys for Defendant

UNITED TECHNOLOGIES CORPORATION
fka PRATT & WHITNEY, INC.

ORDER


Based upon the foregoing, and finding good cause therefor, it is hereby ORDERED that:

All motions previously filed under case number C 07-00702 apply to case numbers C 07-00703 and C 07-00712.

All orders issued under case number C 07-00702 shall and will apply to case numbers C 07-00703 and C 07-00712.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____



Honorable Susan Illston
UNITED STATES DISTRICT JUDGE

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